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December 13, 2024

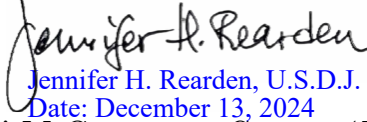
Application denied. Although the Court is not unsympathetic to Defendant's circumstances, he needs to begin serving the sentence that was imposed more than six months ago. "That there are family matters that he might want to be present for is not a reason for further delay" of his already substantially adjourned surrender date. *United States v. Steinberg*, 18 Cr. 614 (KMK) (S.D.N.Y. Jan. 31, 2023).

By ECF and Email

The Honorable Jennifer H. Rearden
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

The Clerk of Court is directed to terminate ECF No. 60.

SO ORDERED.


Jennifer H. Rearden, U.S.D.J.
Date: December 13, 2024

Re: *United States v. Mekhi McGowan*, 23 Cr. 372 (JHR)

Dear Judge Rearden:

I write on behalf of Mekhi McGowan to respectfully request an adjournment of his voluntary surrender date for his 30-month sentence, from January 2, 2025, through May 1, 2025. The Government takes no position on this request.

In submitting this application, Mr. McGowan is mindful of the Court's warning, upon adjourning his surrender from September 2024 to January 2025, that any further requests for an adjournment were unlikely to be granted. *See* Endorsed Application, ECF No. 49. Yet he makes this request for an important reason: He wishes to be present for the birth of his son, expected around April 15, 2025.

Mr. McGowan explains his thinking in a heartfelt letter to the Court, attached as Exhibit A, which he drafted without prompting or editing from counsel. He writes that he does not wish for the Court to think that he takes for granted the opportunity he has already been afforded to spend time with his loved ones before reporting to serve his sentence. Ex. A at 1. He also accepts responsibility for the fact that he *will* miss important moments with his family because of his own actions. *Id.* "But I have never missed the birth of any of my children and I am not sure how I will handle it mentally especially it being my first son. ... [S]eeing them coming into the world isn't a moment I would be able to experience later or get back." *Id.*

As noted, the Government—having received a copy of Mr. McGowan's letter—takes no position on this request for an adjournment. Mr. McGowan thanks the Court for considering it.

Respectfully submitted,

/s/ Ariel Werner

Ariel Werner

Assistant Federal Defender

212.417.8770

cc: Juliana Murray, Assistant U.S. Attorney

EXHIBIT A

Dear Honorable Judge Rearden,

I am writing you today to request to postpone my surrender date for one final time until May 1st. While I am eager personally to surrender and right my wrongs by facing the consequences head on, I pride myself in being a highly active and hands on father. I would like the opportunity to see my first son be born. He is due April 15th.

I'm fully aware that you expressed intentions to deny any further request which is why I've been nervous and hesitant to make this request. I appreciate you allowing me to get my affairs in order up until now. I have been able to prepare financially for my imprisonment and spend priceless time with my loved ones and most importantly my first daughter. I do not want the court to think I take any of that for granted. I have accepted that I am going to miss a lot of things in my children's life due to my past actions and that's something I must live with. But I have never missed the birth of any of my children and I am not sure how I will handle it mentally especially it being my first son. I will be able to see them walk, talk, and get to know them through visitations and phone calls. But seeing them coming into the world isn't a moment I would be able to experience later or get back. Even if I must be confined to my house until they are born it would be worth it for me.

I don't take my actions lightly or take the courts kindness and understanding for granted. I believe things could have gone a lot worse and my sentence will give me a chance to positively change my life. Its going to do nothing but make me better and more disciplined. I'm just asking the court to allow me this moment with my family as they need my support and will help me go into prison with less guilt and worry.

Also, this time will allow me to spend both my daughter's birthdays with them as Milan's birthday is Feb 11th and Raya's April 2nd. I've already seen how my actions affect my family because Raya was secretly moved out the state and kept away from me since a few weeks after my indictment. At first, I was angry and hurt because I felt powerless but once I accepted the blame and took responsibility, I was able to make things better. Over the past few months, I have been working earnestly at it.

I do not want my past foolish actions to continue to hurt my children as I am far away from the selfish mindset that put me in this situation. Frankly, the thought of explaining to my son that I missed his birth because I was imprisoned for stealing is embarrassing if there is anything that can be done I'd be forever grateful. I appreciate your considering this matter and all the requests prior to this. Thank you for taking the time.

Sincerely, Mekhi McGowan